S.B.CRIMINAL MISC. BAIL APPLICATION NO.5333/06

Date : 28.11.2006

HON'BLE MR. SATYA PRAKASH PATHAK, J.

Mr. H.S. Balot for the applicant.
Mr. Vishnu Kachhawaha, Public Prosecutor for State.

I have heard learned counsel for the applicant as well as the learned Public Prosecutor for the State and carefully gone through the impugned order.

The contention of learned counsel for the applicant is that fact of the matter is that relation between the husband and the wife is not cordial. It is submitted that on 16.08.2005 when father of the complainant alongwith relative reached to the house of the applicant to take complainant to parental house that time the complainant's family in a clear terms on a stamp paper made a note to the effect in writing that as far as the applicant is concerned, they have no grievance against him. His submission is that this document was executed for the reason that complainant father is clerk in the court. He further submits that other persons have already been granted bail by

the learned trial court.

On the other hand, learned Public Prosecutor has opposed the bail application.

I have considered the submissions made before me and carefully gone through the material available on record.

Without expressing any opinion on the merit of the case while taking into consideration the overall facts and circumstances of the present case, I think it just and proper to grant anticipatory bail to the applicant. Accordingly, it is directed that in the event of arrest of applicant Yogendra Singh s/o Hanumang Singh by I.O./S.H.O. in FIR No.209/06 P.S. Dagana, he shall be released on bail provided he furnishes a personal bond in the sum of Rs.30,000/- alongwith two sound and solvent sureties in the sum of Rs.15,000/- each to the satisfaction of Investigating Officer on the following conditions:-

(i)That he shall make himself available for interrogation by a police officer as and when required;

(ii)That he shall not, directly or indirectly, make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such facts to the Court or to any police officer and;

(iii)That he shall not leave India without the previous permission of the Court.

(SATYA PRAKASH PATHAK), J.